

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Newport News Division**

CENTER FOR BIOLOGICAL DIVERSITY,

Plaintiff,

v.

UNITED STATES MARITIME
ADMINISTRATION, PETE BUTTIGIEG, in
his official capacity, and ANN C. PHILLIPS,
in her official capacity,

Defendants.

Civil Action No.: 4:21-cv-132-EWH-LRL

DEFENDANTS' STATUS REPORT

Pursuant to the Court's Order, Federal Defendants provide notice that the Maritime Administration ("MARAD") requested initiation of informal consultation with the National Marine Fisheries Service on September 29, 2023, regarding MARAD's fiscal year 2018 James River Project grant. *See* Order, ECF 59; Exhibit 1. MARAD's request includes an effects determination that the fiscal year 2018 grant may affect, but is not likely to adversely affect, Atlantic sturgeon. *Id.* at 2. MARAD requested that NMFS provide a written concurrence or non-concurrence with this determination within 60 days. *Id.* at 10.

Federal Defendants will submit another status report by December 1, 2023.

[Signature page follows.]

Dated: October 2, 2023

Respectfully submitted,

PETE BUTTIGIEG,
Secretary of Transportation,

ANN C. PHILLIPS,
Administrator of Maritime Administration,

MARITIME ADMINISTRATION,

JESSICA D. ABER,
United States Attorney

/s/

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